

May 16, 2006 CPC



STAFF'S
REQUEST ANALYSIS
AND
RECOMMENDATION

06PS0338

White Oaks Development, LLC
(White Oak Tree Farm and Apartments)

Bermuda Magisterial District
West line of Old Stage Road

REQUEST: Schematic plan approval for a mixed-use project.

RECOMMENDATION

Staff recommends approval with seven (7) conditions for the following reasons:

1. The existing forested Resource Protection Area (RPA) is a minimum 200 feet wide and provides a transition zone between commercial and residential uses.
2. All development standards of the Zoning Ordinance including, but not limited to, architectural quality, buffers and landscaping, and screening of loading areas, outside storage, mechanical equipment, and lighting will be applied per Condition 1 to ensure that views of the commercial development from the multi-family parcel remain attractive.
3. Concerns about adequate access for emergency vehicles are addressed by Conditions 5 and 6.

CONDITIONS

1. Any development on the parcel designated as commercial on the schematic plan shall apply the development standards of the Zoning Ordinance as though the multi-family parcel is zoned R-MF. Modifications to these standards may be applied for per Sec. 19-19 of the Zoning Ordinance (modifications to development standards and requirements). (P)

2. Multi-family development on the parcel designated as multi-family on the schematic plan shall adhere to all requirements of Sec. 19-159(j) that existed in the Zoning Ordinance on the date of schematic plan submission (February 28, 2006) which allowed multi-family as a restricted use in a C-3 District. (P)
3. Any future modifications to the boundary of the Resource Protection Area shall not decrease the distance of separation between uses on the commercial parcel and uses on the multi-family parcel. (P)
4. The Resource Protection Area will be supplemented with additional plantings, if necessary, and maintained to ensure that vegetation density equals 2.5 times perimeter landscaping C of the Zoning Ordinance. (P)
5. The public road access to Old Stage Road shall be installed prior to occupancy of more than fifty (50) dwelling units in the multi-family parcel. (F)
6. A second access, as approved by the Fire Department, shall be provided to the commercial parcel prior to release of a building permit for 62,000 or more gross square feet of unsprinkled buildings or 124,000 or more gross square feet of sprinkled buildings. (F)
7. A sidewalk with a minimum width of five (5) feet shall be installed for the full length of the proposed public road along its north side with a planting strip at least four (4) feet wide for the purpose of planting street trees thirty-five (35) feet on center between the sidewalk and the public road. The sidewalk shall connect at all three (3) multi-family entrances to sidewalks connecting throughout the multi-family project, and shall connect to the commercial uses along either a public or private road system serving the commercial parcel. (P)

GENERAL INFORMATION

Associated Public Hearing Case:

04SN0131

Developer:

White Oaks Development, LLC

Location:

West line of Old Stage Road, south of Coyote Drive. Also east line of Interstate 95, north of West Hundred Road. Tax IDs 804-656-4121 and 803-655-1650 (Sheet 26 and 27).

Existing Zoning and Land Use:

C-5; Vacant

Adjacent Zoning and Land Use:

North - I-3; Vacant
South - C-3 and C-5; Commercial
East - I-1, I-2, I-3 and A; Industrial, single family residential or vacant
West - C-3, C-5 and A; Commercial, single family residential or vacant

BACKGROUND

The zoning for this property occurred through Case 04SN0131 that zoned the property C-5, although only C-3 and I-1 uses by right or with restrictions is allowed. The current applicant for the schematic plan, White Oaks Development, LLC, has chosen to develop the property through the C-3 restricted uses that allows multi-family uses on thirty (30) percent of the overall development acreage. As a restricted use, the multi-family cannot be constructed until at least fifty (50) percent of the commercial development is completed. It is the intent of the developer to submit site plans to construct a wholesale tree farm operation. This is a low cost, short-term interim commercial use that can satisfy the fifty (50) percent requirement for commercial development. As a mixed-use project, the applicant is required to submit a schematic plan showing locations of commercial and residential development, and appropriate vehicular and pedestrian access and transitions between uses.

The schematic plan shows a minimum 200 feet wide forested Resource Protection Area (RPA) as the transition between multi-family and commercial uses. Since the overall zoning is C-5, it is necessary to apply two (2) conditions that ensure the intent of the Zoning Ordinance is met when adding residential uses. Condition 1 requires that any commercial development on the property abide by all development standards for office, commercial, and industrial development in Emerging Growth Areas as if the multi-family parcel is zoned R-MF. Due to the pending change in the Zoning Ordinance that shifts multi-family uses from a restricted use to a conditional use in C-3, C-4 and C-5 Districts, Condition 2 requires that the criteria for developing multi-family is maintained per the previous Zoning Ordinance requirements for multi-family in C-3 Districts.

To ensure that the transition between uses is not lost due to any future changes in perennial stream and/or Resource Protection Area designations, Condition 3 maintains the current RPA lines to be the minimum separation between commercial and multi-family uses. To provide for a permanent forested character, Condition 4 requires that the Resource Protection Area be supplemented as necessary to maintain a landscape density of two and a half (2.5) times Perimeter Landscape C.

Vehicular access is from two (2) locations: initially from Chestnut Hill Road that connects the project to Route 10, and a second connection to Old Stage Road via a public road along the southern border of the property and which connects through to Chestnut Hill Road. The zoning case has a condition that requires the public road connection to Old Stage Road to occur at such time as the uses generate more than 5000 average daily trips as determined by the Transportation Department. However, the zoning case did not address the possibility of multi-family development, and the Zoning Ordinance requires two (2) accesses when more than fifty (50) dwelling units are occupied. Condition 5 reinstates the Zoning Ordinance access requirement for

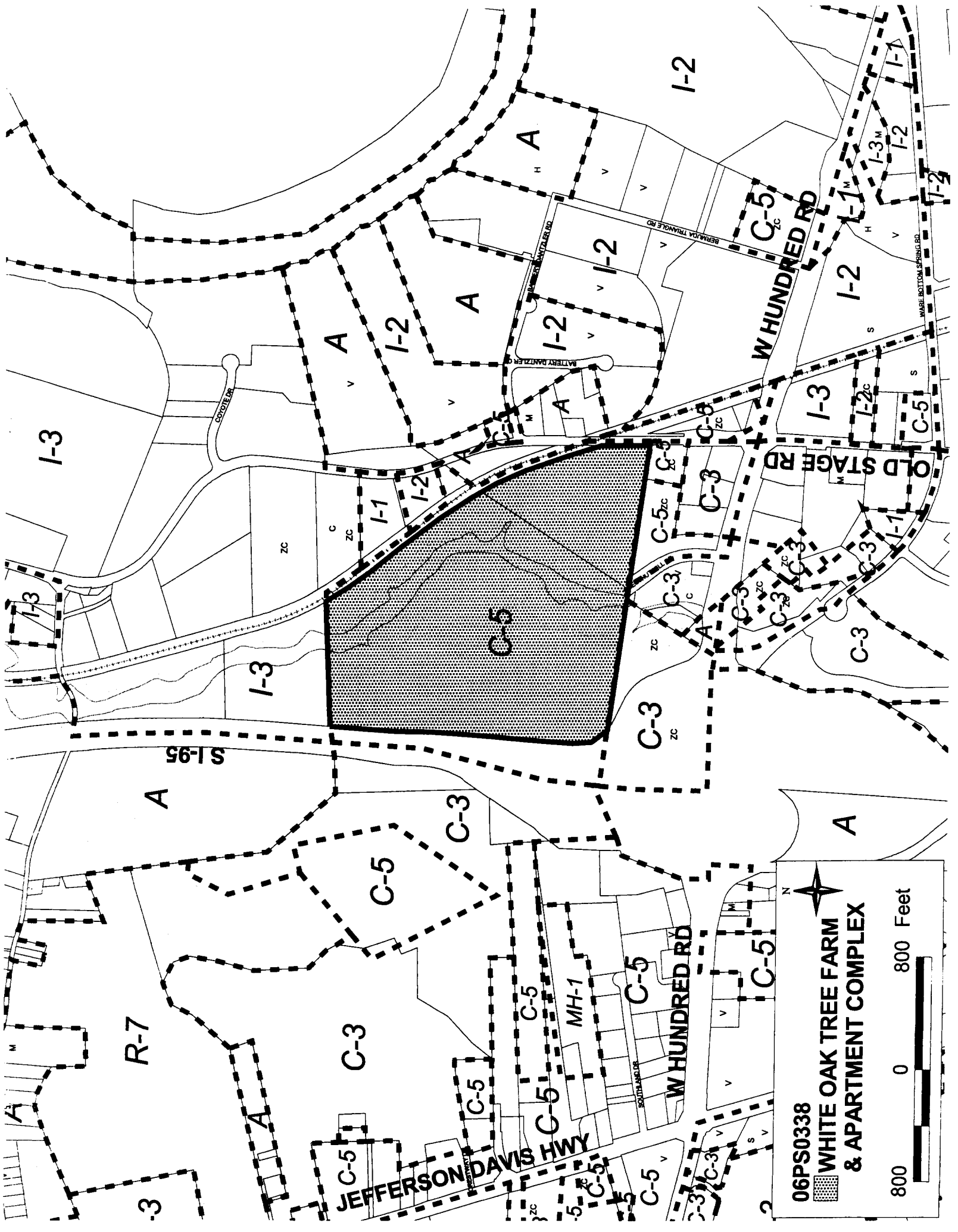
two (2) accesses into the site for the multi-family development and supersedes Condition 4 of Case 04SN0131.

Currently the schematic plan shows only one (1) access point to the commercial parcel at the juncture of the proposed public road and Chestnut Hill Road. Any blockage at this point creates an unsafe situation for emergency equipment to reach the commercial parcel. Given the potentially high development density of the commercial parcel, the Fire Department seeks a second access into the commercial property. The requirement for and phasing of the second access is established in Condition 6.

Condition 7 requires a sidewalk along the north side of the public road that connects the multi-family uses with the commercial uses within the development and to potential future uses that may occur to the south through redevelopment.

CONCLUSIONS

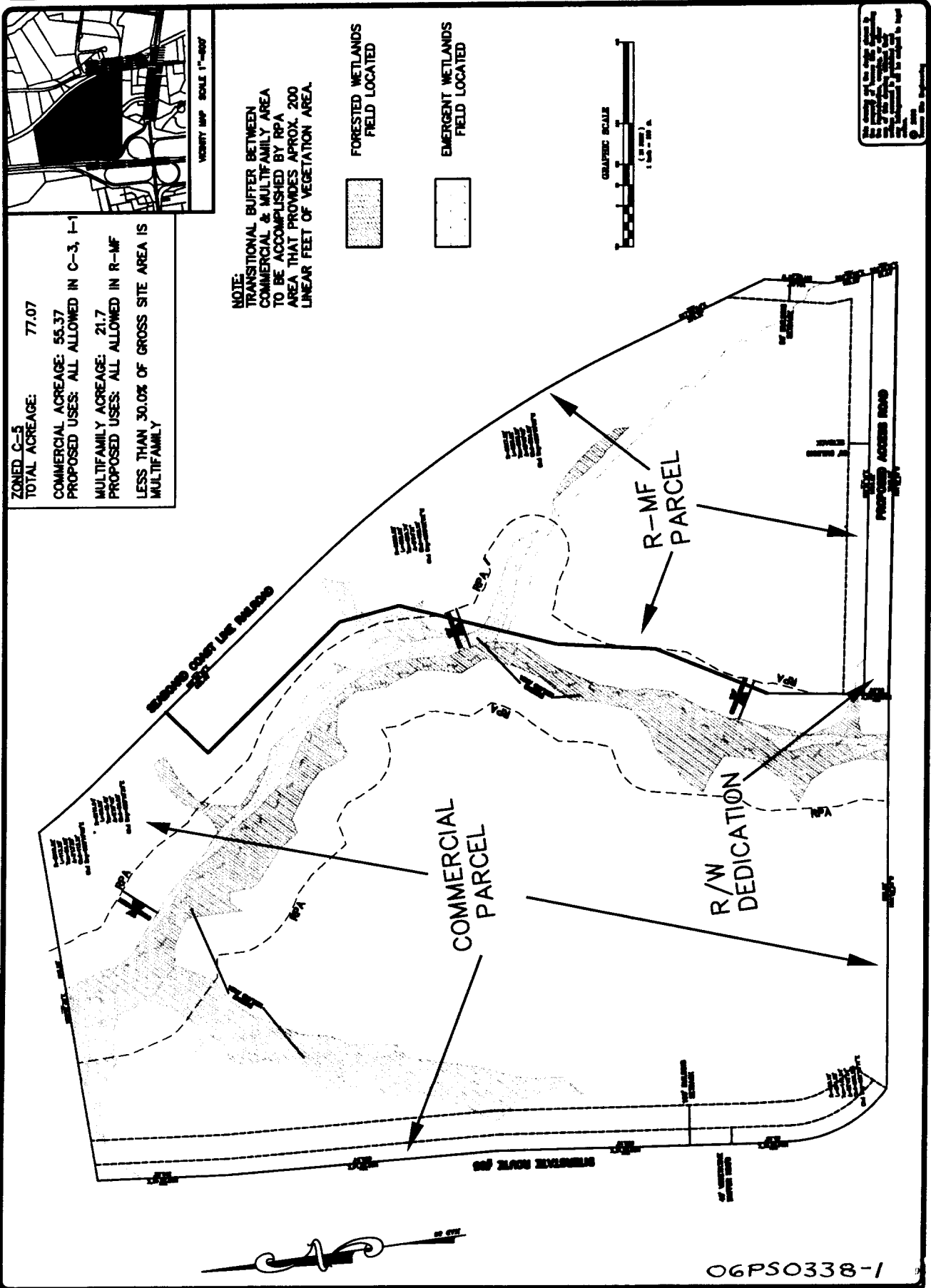
Staff recommends approval of the schematic plan as long as the appropriate conditions as stated herein are applied to the commercial and multi-family uses.



06PS0338

 WHITE OAK TREE FARM
& APARTMENT COMPLEX





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